

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yury KALNITSKY  
Application No. : 10/760,137 Filed : January 16, 2004  
Title : NETWORK ARCHITECTURE FOR DATA TRANSMISSION  
Examiner : Chirag R. PATEL  
Art Unit : 2141 Confirmation No. : 7187

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**REQUEST FOR RECONSIDERATION OF DECISION ON  
REQUEST TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE**

SIR:

This is a request for reconsideration of the Decision on Petition dated August 7, 2008 denying the request to withdraw the Office's holding of abandonment for failure to timely pay the Issue Fee.

Applicants' representative based the original request for withdrawal of the holding of abandonment on not receiving the Notice of Allowance prior to abandonment despite the filing of a Customer Number Upload on August 28, 2007 requesting a customer number change (and correspondence address change). The Decision (page 2) found that the Customer Number Upload was ineffective because:

The record does not show that David B. Ritchie [who signed the cover letter for the upload] was a patent practitioner of record appointed in compliance with 37 CFR 1.32(b) (e.g. power of attorney) in this application on August 28, 2007 [and] could not change the correspondence address of record in above-identified application.

As a result, the Decision (page 2) concluded that:

For this reason, the USPTO/Electronic Business Center did not change the correspondence address to the address associated with Customer No. 20999. Accordingly, the Notice of Allowance and Fee(s) Due was mailed to the proper correspondence of records as it existed on December 13, 2007.

Applicants' undersigned representative discussed the Decision by telephone with Senior Petitions Attorney Donnell, and informed her that the reason a Customer Number Upload signed by Mr. Ritchie was filed is because a prior Customer Number Upload filed August 13, 2007 signed by the undersigned requesting a change in customer number and correspondence address for this application was rejected by the Office. Applicants' representative appreciates Ms. Donnell's time and attention during the telephone conference.

Applicants' request for reconsideration is based on the prior Customer Number Upload filed August 13, 2007 signed by the undersigned, and also on the totality of the circumstances, including the filing of two Customer Number Uploads and Applicants' undersigned representative not being informed by the Office that the second Upload was not processed for this application.

Request Exhibit I attached to the DeRosa Declaration filed herewith shows that a Customer Number Upload signed by Mr. DeRosa was filed on August 13, 2007 (Exhibit I, page 3, at the top) and included Serial No. 10/760,137 (Exhibit I, pages 4 & 8). However, Exhibit I further shows that the requested change for this application was "not processed" because:

The Attorney(s)/Agent(s) who signed the cover letter [i.e., Mr. DeRosa] are not listed in our database as having power of attorney for the listed application." (Exhibit I, page 3, under Step 1.)

Page 4 of Exhibit I on the row for “10760137” indicates that the upload for 10/760,137 was rejected because the power of attorney (“POA”) did not include the undersigned as an appointed attorney (“POA OK? – No”). Similarly, page 8 of Exhibit I includes a row for “10760137” in which “POA must sign cover letter” appears in the column headed “Validation Results.”

Request Exhibit J is a copy of the Declaration and Power of Attorney filed in this application which lists on page 3 thereof Mr. DeRosa as an appointed attorney.

It is submitted that the Customer Number Upload filed August 13, 2007 changing the correspondence address should have been processed, and that the Office’s failure to mail the Notice of Allowance to the new correspondence address is sufficient reason to grant this request to withdraw the holding of abandonment.

This Request for Reconsideration should also be granted based on non-receipt of the Notice of Allowance by Applicants’ undersigned representative prior to abandonment and the totality of the circumstances. The facts surrounding the abandonment are provided in the original and supplemental requests, and in this request for reconsideration. In summary:

- Applicants’ undersigned representative attempted twice to change the correspondence address for this application. While Applicants’ undersigned representative was apprised that the first Customer Number Upload filed August 13, 2007 was not processed for this application, he was not informed and was not aware before abandonment of the application that the second Customer Number Upload filed August 28, 2007 also was not processed for this application.
- Applicants’ undersigned representative learned of the abandonment through a status check of the application at about the time of the abandonment prompted by the undersigned’s learning of discrepancies in the correspondence address and/or attorneys of

record for some applications included in the Customer Number Upload filed on August 28, 2007.

- Applicants' undersigned representative in fact did *not* receive a copy of, and was *not* aware of, the Notice of Allowance prior to abandonment.
- Applicants' representative filed a request to withdraw the holding of abandonment on April 16, 2008, only 34 days after actual abandonment of the application, and only four business days after first learning of the abandonment on April 10, 2008.
- Applicants' undersigned representative promptly filed a new power of attorney on April 16, 2008.
- As far as the undersigned is aware, this application is the only one included in the Uploads that was unintentionally abandoned.

The facts, as summarized above, demonstrate that Applicants' representative was diligent in his handling of this application, and but for the Office not informing him that the Customer Number Upload filed August 28, 2008 was not processed for this application, the abandonment would not have occurred. Thus, it is submitted, that the holding of abandonment should be withdrawn based on the Applicants' undersigned representative not receiving the Notice of Allowance prior to abandonment and the totality of the circumstances.


It is respectfully requested that the holding of abandonment be withdrawn based on the August 13, 2007 Upload and the totality of the circumstances, and that a Notice of Allowance be remailed to the new correspondence address for this application.

Please charge any fee required to process this paper and/or continue prosecution to Deposit Account No. 50-0320.

Date: September 25, 2008

Respectfully submitted,

**Customer No. 20999**  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York, NY 10151  
Tel. (Direct) (212) 863-2619  
Tel. (212) 588-0800  
Fax (212) 588-0500

  
\_\_\_\_\_  
Frank J. DeRosa  
Reg. No. 26,543

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yury KALNITSKY  
Application No. : 10/760,137 Filed : January 16, 2004  
Title : NETWORK ARCHITECTURE FOR DATA TRANSMISSION  
Examiner : Chirag R. PATEL  
Art Unit : 2141 Confirmation No. : 7187

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**DECLARATION OF FRANK J. DEROSA  
IN SUPPORT OF REQUEST FOR RECONSIDERATION OF DECISION ON  
REQUEST TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE**

I, Frank J. DeRosa, declare as follows:

1. This Declaration supplements my Declarations filed in the above application on April 16, 2008 and June 20, 2008.
2. Attached as Request Exhibit I is a copy of an email dated August 15, 2007 from Ms Ameia Smith of the Office's Electronic Business Center. This email includes a letter (page 3 of the email) providing the status of a Customer Number Upload filed on August 13, 2008, and a spreadsheet (pages 4-11 of the email) with the status for each application in the upload.
3. The top of page 3 of Exhibit I shows that the Office received the Customer Number Upload on August 13, 2007 and that it was signed by Frank J. DeRosa, the undersigned.
4. Page 4 of Exhibit I includes a row for "10760137" in which a "No" appears in the column headed "POA Okay?"
5. Page 2 of Exhibit I gives the significance of the "POA Okay?" column as follows:

Column G, "POA Okay?" is the output of the Power of Attorney validation. When the upload process is run, the "Yes" or "No" value is the "flag" that determines if the application will be associated to the customer number or not. It will be YES if the POA is found and a values entered in Column A and/or Column B are Valid and correct. "It will be NO if either POA is not found or the values in Column A and/or B are invalid.

6. Page 8 of Exhibit I includes a row for "10760137" in which "POA must sign cover letter" appears in the column headed "Validation Results."

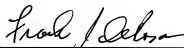
7. Attached as Request Exhibit J is a copy of the Declaration and Power of Attorney filed in this application, which on page 3 lists Frank J. DeRosa as an appointed attorney.

8. I was unaware that the Customer Number Upload filed August 28, 2007 was not processed for this application until after the date for paying the Issue Fee had passed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

September 25, 2008

Date



Frank J. DeRosa (Reg. No. 26,543)

**DeRosa, Frank J.**

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**From:** Smith, Ameia (Trawick) [Ameia.Smith1@USPTO.GOV]  
**Sent:** Wednesday, August 15, 2007 8:51 AM  
**To:** DeRosa, Frank J.  
**Subject:** Customer Number Upload Results for CN 20999  
**Attachments:** How to read the upload spreadsheet.doc; Reg Number Query.doc; 20999msmatty.xls

Hello,

Attached are the results of the registration query and the upload for Customer Number 20999. Also attached is a document detailing how to read these reports and instructions for your next spreadsheet. Please be aware what the upload spreadsheet template located at the USPTO web site has been updated. Filing and patent dates are no longer a requirement as Power of Attorney is the audit check for each application. In terms of a Prose upload, the lack of Power of Attorney is the audit check. The link for the template is below.

[http://www.uspto.gov/ebc/documents/cust\\_req\\_instructions.xls](http://www.uspto.gov/ebc/documents/cust_req_instructions.xls)

If there are any questions please do not hesitate to call.

Ameia Smith  
United States Patent Office  
Electronic Business Center  
Team Trawick  
866-217-9197



## **UPLOAD PROCESS - HOW TO READ THE REGISTRATION MISMATCH SPREADSHEET**

Columns A thru D list the original data supplied from the customer number upload spreadsheet (patent number, application number, correspondence address and fee address).

Column E, "Practitioner List" lists the registration number(s) of the attorney(s) who signed the cover letter.

**If this is a Prose upload then this column is left blank.**

Column F, "Upload Okay?" is the output of the upload. When the upload is performed, this column will list a "Rejected" (not uploaded to the customer number) or "Accepted" (uploaded and associated to the customer number).

Column G, "POA Okay?" is the output of the Power of Attorney validation. When the upload process is run, the "Yes" or "No" value is the "flag" that determines if the application will be associated to the customer number or not.

It will be YES if POA is found and all values entered in column A and / or column B are valid and correct.

It will be NO if either POA is not found or the values in column A and / or B are invalid.

**If this is a Prose upload, then the output will be "Yes" if no Power of attorney is found.**

Column H will list the patent number found in PALM based off of various combinations of the customer's input in column A and B.

Column I will list the application number found in PALM based off of various combinations of the customer's input in column A and B.

Column J "Mismatch?" will display a "Yes" if any combination of patent and application numbers are invalid in a given row. If "YES" then that row of data will not upload.

Column K "Validation Results" lists a descriptive narrative on the result of the Registration Mismatch application.

Dear Sir / Madam,

This letter is in regard to a Customer Number Upload (CN Upload) spreadsheet that was received by the USPTO with the following information:

Date received: 8/13/07  
Customer number: 20999  
Signed by: Frank DeRosa  
Registration number: 26543

We are sending this notice to notify you of the status of your CN Upload spreadsheet. Please note, two steps must be met to successfully complete the CN Upload process.

**Step 1 – Confirmation of Signatory Authority for Spreadsheet Cover Letter**

The individual(s) who signed the cover letter must be the applicant(s) or Attorney(s)/Agent(s) of record for the application.

The attached MS Excel spreadsheet lists all of the applications that were submitted. Those serial numbers that contain a 'NO' in the 'POA Okay' column were **not** processed. The Attorney(s)/Agent(s) who signed the cover letter are not listed in our database as having Power of Attorney for the listed applications or there was an error in the application/patent number.

**Remedy for those Applications for which Step 1 was not Successfully Completed:**

To correct the application submissions that did not successfully meet the criteria in Step 1, and so were not processed, associate those applications by submitting a new spreadsheet and cover letter with the appropriate attorney registration numbers and signatures. Instructions and a spreadsheet template are located at <http://www.uspto.gov/ebc/downloads.html> under Customer Number Update Template.

In the case of applications where you do not have Power of Attorney, please fill out and complete the proper Power of Attorney form SB81/82 and fax it to the USPTO centralized fax number of 703-872-9306 prior to submitting your spreadsheet. Please review OG Notice May 26<sup>th</sup> 2004, Revision of Power of Attorney and Assignment Practice for further information. <http://www.uspto.gov/web/offices/com/sol/notices/69fr29866.pdf>

Also verify that the serial numbers entered are the correct numbers.

**Step 2 – Invalid serial number(s) – pending application and/or patent numbers**

An invalid serial number was entered in the spreadsheet. This is indicated by a "YES" in the Mismatch column.

**Remedy for those Applications for which Step 2 was not Successfully Completed:**

Ensure that the serial numbers entered meet the spreadsheet requirements (see Customer Number Upload Template). [http://www.uspto.gov/ebc/documents/cust\\_req\\_instructions.xls](http://www.uspto.gov/ebc/documents/cust_req_instructions.xls)

**Questions?**

If you have any questions about this email or any of our Patent Business e-government tools or systems, please do not hesitate to contact the Patent Electronic Business Center at 866-217-9197.

Regards,

USPTO  
Patent Electronic Business Center  
1-866-217-9197 / 703-305-3028

Customer 20999 7694

Frommer Lawrence and Haug LLP  
745 Fifth Avenue  
New York New York 10151  
Telephone: 212-588-0800  
Facsimile: 212-588-0500

Registration Number Mismatch

Pat. #	Appl #	Corr Addr Change	Fee Addr Change	Practitioner List	Upload OK?	POA Okay?	Pat. #?
	09412408	Yes	Yes	26543	Rejected	No	
	09451207	Yes	Yes		Rejected	No	
	09476935	Yes	Yes		Rejected	No	
	09562506	Yes	Yes		Rejected	No	
	09584045	Yes	Yes		Rejected	No	
	09760196	Yes	Yes		Rejected	No	
	09839529	Yes	Yes		Rejected	No	
	09943442	Yes	Yes		Rejected	No	
	10044568	Yes	Yes		Rejected	No	
	10136845	Yes	Yes		Rejected	No	
	10186541	Yes	Yes		Rejected	No	
	10187631	Yes	Yes		Rejected	No	
	10218375	Yes	Yes		Rejected	No	
	10300698	Yes	Yes		Rejected	No	
	10448485	Yes	Yes		Rejected	No	
	10651361	Yes	Yes		Rejected	No	
✓	10760137	Yes	Yes		Rejected	No	
	10831965	Yes	Yes		Rejected	No	
	10868676	Yes	Yes		Rejected	No	
	10882096	Yes	Yes		Rejected	No	
	10892520	Yes	Yes		Rejected	No	
	10913140	Yes	Yes		Rejected	No	
	10946444	Yes	Yes		Rejected	No	
	10956721	Yes	Yes		Rejected	No	
	10963205	Yes	Yes		Rejected	No	
	10963462	Yes	Yes		Rejected	No	
	10991965	Yes	Yes		Rejected	No	
	10995734	Yes	Yes		Rejected	No	
	11027780	Yes	Yes		Rejected	No	
	11048661	Yes	Yes		Rejected	No	
	11056786	Yes	Yes		Rejected	No	
	11087775	Yes	Yes		Rejected	No	
	11108355	Yes	Yes		Rejected	No	
	11112696	Yes	Yes		Rejected	No	
	11120652	Yes	Yes		Rejected	No	
	11142908	Yes	Yes		Rejected	No	
	11157380	Yes	Yes		Rejected	No	
	11241470	Yes	Yes		Rejected	No	

11249846	Yes	Yes	Rejected	No	
11250829	Yes	Yes	Rejected	No	
11263622	Yes	Yes	Rejected	No	
11274821	Yes	Yes	Rejected	No	
11323980	Yes	Yes	Rejected	No	
11324134	Yes	Yes	Rejected	No	
11347144	Yes	Yes	Rejected	No	
11347146	Yes	Yes	Rejected	No	
11356739	Yes	Yes	Rejected	No	
11394523	Yes	Yes	Rejected	No	
11412315	Yes	Yes	Rejected	No	
11463751	Yes	Yes	Rejected	No	
11532093	Yes	Yes	Rejected	No	
11681279	Yes	Yes	Rejected	No	
11696864	Yes	Yes	Rejected	No	
11697940	Yes	Yes	Rejected	No	
11744932	Yes	Yes	Rejected	No	
29174696	Yes	Yes	Rejected	No	
29188427	Yes	Yes	Rejected	No	
29188428	Yes	Yes	Rejected	No	
29276203	Yes	Yes	Rejected	No	
29279652	Yes	Yes	Rejected	No	
60152017	Yes	Yes	Rejected	No	
60229173	Yes	Yes	Rejected	No	
60256009	Yes	Yes	Rejected	No	
60287339	Yes	Yes	Rejected	No	
60312195	Yes	Yes	Rejected	No	
60348161	Yes	Yes	Rejected	No	
60358472	Yes	Yes	Rejected	No	
60366910	Yes	Yes	Rejected	No	
60392061	Yes	Yes	Rejected	No	
60400617	Yes	Yes	Rejected	No	
60404789	Yes	Yes	Rejected	No	
60484168	Yes	Yes	Rejected	No	
60487471	Yes	Yes	Rejected	No	
60493904	Yes	Yes	Rejected	No	
60510605	Yes	Yes	Rejected	No	
60520905	Yes	Yes	Rejected	No	
60533137	Yes	Yes	Rejected	No	
60540857	Yes	Yes	Rejected	No	
60558665	Yes	Yes	Rejected	No	
60567309	Yes	Yes	Rejected	No	
60576935	Yes	Yes	Rejected	No	
60618386	Yes	Yes	Rejected	No	
60627855	Yes	Yes	Rejected	No	
60790347	Yes	Yes	Rejected	No	
60822589	Yes	Yes	Rejected	No	
60864163	Yes	Yes	Rejected	No	
60912926	Yes	Yes	Rejected	No	
60914651	Yes	Yes	Rejected	No	
60943458	Yes	Yes	Rejected	No	
4814589	06853745	Yes	Rejected	No	4814589
5160901	07581672	Yes	Rejected	No	5160901

5283422	07927798	Yes	Yes	Rejected	No	5283422
5283422	90005308	Yes	Yes	Rejected	No	
5367148	07699904	Yes	Yes	Rejected	No	5142940
5548110	08225731	Yes	Yes	Rejected	No	5548110
5675137	08303512	Yes	Yes	Rejected	No	5675137
5717430	08690025	Yes	Yes	Rejected	No	5717430
5889270	08833378	Yes	Yes	Rejected	No	5889270
5990858	08707433	Yes	Yes	Rejected	No	5990858
6048031	09239350	Yes	Yes	Rejected	No	6048031
6062481	08689927	Yes	Yes	Rejected	No	6062481
6514140	09335100	Yes	Yes	Rejected	No	6514140
6577201	10023954	Yes	Yes	Rejected	No	6577201
6753737	10390557	Yes	Yes	Rejected	No	6753737
6840904	09975097	Yes	Yes	Rejected	No	6840904
7106143	11096318	Yes	Yes	Rejected	No	7106143
7124947	10321020	Yes	Yes	Rejected	No	7124947
D411225	29697957	Yes	Yes	Rejected	No	D411225
D421041	29083114	Yes	Yes	Rejected	No	D421041
D467264	29116365	Yes	Yes	Rejected	No	D467264
D492308	29171114	Yes	Yes	Rejected	No	D492308
D492684	29171697	Yes	Yes	Rejected	No	D492684
D496936	29190258	Yes	Yes	Rejected	No	D496936
D496937	29190262	Yes	Yes	Rejected	No	D496937
D496938	29190493	Yes	Yes	Rejected	No	D496938
D497167	29190494	Yes	Yes	Rejected	No	D497167
D497364	29171670	Yes	Yes	Rejected	No	D497364
D501208	29204588	Yes	Yes	Rejected	No	D501208
D508245	29208850	Yes	Yes	Rejected	No	D508245

D516070	29204911	Yes	Yes	Rejected	No	D516070
D535992	29208915	Yes	Yes	Rejected	No	D535992
	07919502	Yes	Yes	Accepted	Yes	
	08697796	Yes	Yes	Accepted	Yes	
	10045586	Yes	Yes	Accepted	Yes	
	10081132	Yes	Yes	Accepted	Yes	
	10290017	Yes	Yes	Accepted	Yes	
	10325702	Yes	Yes	Accepted	Yes	
	10395839	Yes	Yes	Accepted	Yes	
	10603207	Yes	Yes	Accepted	Yes	
	10611517	Yes	Yes	Accepted	Yes	
	10611652	Yes	Yes	Accepted	Yes	
	10643663	Yes	Yes	Accepted	Yes	
	10728427	Yes	Yes	Accepted	Yes	
	10840588	Yes	Yes	Accepted	Yes	
	10928649	Yes	Yes	Accepted	Yes	
	10971850	Yes	Yes	Accepted	Yes	
	11085762	Yes	Yes	Accepted	Yes	
	11199843	Yes	Yes	Accepted	Yes	
	11351426	Yes	Yes	Accepted	Yes	
	11530286	Yes	Yes	Accepted	Yes	
	60342256	Yes	Yes	Accepted	Yes	
	60562876	Yes	Yes	Accepted	Yes	
	60622527	Yes	Yes	Accepted	Yes	
	60627856	Yes	Yes	Accepted	Yes	
	60653653	Yes	Yes	Accepted	Yes	
	60707375	Yes	Yes	Accepted	Yes	
4701661	06738697	Yes	Yes	Accepted	Yes	4701661
4748367	06801485	Yes	Yes	Accepted	Yes	4748367
5088093	07109075	Yes	Yes	Accepted	Yes	5088093
5107226	07648149	Yes	Yes	Accepted	Yes	5107226
5309116	07970701	Yes	Yes	Accepted	Yes	5309116
6919678	10300648	Yes	Yes	Accepted	Yes	6919678
7046234	10301117	Yes	Yes	Accepted	Yes	7046234
D486483	29154401	Yes	Yes	Accepted	Yes	D486483
D486484	29154402	Yes	Yes	Accepted	Yes	D486484
D496362	29166843	Yes	Yes	Accepted	Yes	D496362
D496363	29166844	Yes	Yes	Accepted	Yes	D496363
D500037	29166842	Yes	Yes	Accepted	Yes	D500037
D507270	29209197	Yes	Yes	Accepted	Yes	D507270
D507570	29209177	Yes	Yes	Accepted	Yes	D507570

Appl #?	Mismatch?	Validation Results
09412408	No	POA must sign cover letter. Application 09412408 found.
09451207	No	POA must sign cover letter. Application 09451207 found.
09476935	No	POA must sign cover letter. Application 09476935 found.
09562506	No	POA must sign cover letter. Application 09562506 found.
09584045	No	POA must sign cover letter. Application 09584045 found.
09760196	No	POA must sign cover letter. Application 09760196 found.
09839529	No	POA must sign cover letter. Application 09839529 found.
09943442	No	POA must sign cover letter. Application 09943442 found.
10044568	No	POA must sign cover letter. Application 10044568 found.
10136845	No	POA must sign cover letter. Application 10136845 found.
10186541	No	POA must sign cover letter. Application 10186541 found.
10187631	No	POA must sign cover letter. Application 10187631 found.
10218375	No	POA must sign cover letter. Application 10218375 found.
10300698	No	POA must sign cover letter. Application 10300698 found.
10448485	No	POA must sign cover letter. Application 10448485 found.
✓ 10651361	No	POA must sign cover letter. Application 10651361 found.
10760137	No	POA must sign cover letter. Application 10760137 found.
10831965	No	POA must sign cover letter. Application 10831965 found.
10868676	No	POA must sign cover letter. Application 10868676 found.
10882096	No	POA must sign cover letter. Application 10882096 found.
10892520	No	POA must sign cover letter. Application 10892520 found.
10913140	No	POA must sign cover letter. Application 10913140 found.
10946444	No	POA must sign cover letter. Application 10946444 found.
10956721	No	POA must sign cover letter. Application 10956721 found.
10963205	No	POA must sign cover letter. Application 10963205 found.
10963462	No	POA must sign cover letter. Application 10963462 found.
10991965	No	POA must sign cover letter. Application 10991965 found.
10995734	No	POA must sign cover letter. Application 10995734 found.
11027780	No	POA must sign cover letter. Application 11027780 found.
11048661	No	POA must sign cover letter. Application 11048661 found.
11056786	No	POA must sign cover letter. Application 11056786 found.
11087775	No	POA must sign cover letter. Application 11087775 found.
11108355	No	POA must sign cover letter. Application 11108355 found.
11112696	No	POA must sign cover letter. Application 11112696 found.
11120652	No	POA must sign cover letter. Application 11120652 found.
11142908	No	POA must sign cover letter. Application 11142908 found.
11157380	No	POA must sign cover letter. Application 11157380 found.
11241470	No	POA must sign cover letter. Application 11241470 found.

11249846 No	POA must sign cover letter. Application 11249846 found.
11250829 No	POA must sign cover letter. Application 11250829 found.
11263622 No	POA must sign cover letter. Application 11263622 found.
11274821 No	POA must sign cover letter. Application 11274821 found.
11323980 No	POA must sign cover letter. Application 11323980 found.
11324134 No	POA must sign cover letter. Application 11324134 found.
11347144 No	POA must sign cover letter. Application 11347144 found.
11347146 No	POA must sign cover letter. Application 11347146 found.
11356739 No	POA must sign cover letter. Application 11356739 found.
11394523 No	POA must sign cover letter. Application 11394523 found.
11412315 No	POA must sign cover letter. Application 11412315 found.
11463751 No	POA must sign cover letter. Application 11463751 found.
11532093 No	POA must sign cover letter. Application 11532093 found.
11681279 No	POA must sign cover letter. Application 11681279 found.
11696864 No	POA must sign cover letter. Application 11696864 found.
11697940 No	POA must sign cover letter. Application 11697940 found.
11744932 No	POA must sign cover letter. Application 11744932 found.
29174696 No	POA must sign cover letter. Application 29174696 found.
29188427 No	POA must sign cover letter. Application 29188427 found.
29188428 No	POA must sign cover letter. Application 29188428 found.
29276203 No	POA must sign cover letter. Application 29276203 found.
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60914651 No	POA must sign cover letter. Application 60914651 found.
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10603207 No	Application 10603207 found.
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29209177 No	Pat. D507570 found. Application 29209177 found.

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Any Docket No. 3524/199

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

## (COMPLETE IF KNOWN)

Application Number	10/760,137
Filing Date	01/16/04
Group Art Unit	2171
Examiner	Not yet assigned

Attorney/Docket No.	3524/199
First Named Inventor	Yury KALNITSKY

This declaration is (check one):

- ☐ submitted with initial filing;  
☒ submitted after initial filing;  
☐ a supplemental declaration.

This application is of the following type:

- ☒ utility;  
☒ design;  
☐ national stage of PCT;  
☐ divisional, continuation or continuation-in-part.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## NETWORK ARCHITECTURE FOR DATA TRANSMISSION

the specification of which: (check one)

- ☐ is attached hereto; or  
☒ was filed on January 16, 2004 as U.S. Application Serial No. 10/760,137, and is/was amended on \_\_\_\_\_ (if applicable);  
☐ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby identify below, and where indicated claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) or §§ 365(a)-(b) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America, filed within 12 months (6 months for design) prior to this application, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the

Page 1 of 3

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Atty Docket No. 3524/199

United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed (if any):

Foreign/PCT Application Number	Country	Filing Date (MM/DD/YYYY)	Priority Claimed	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below (if any):

Provisional Application No.	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S./PCT Parent Application No.	Filing Date	Status (Patented, Pending, or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Atty Docket No. 3524/199

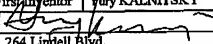
As a named inventor, I hereby appoint the following attorney(s) or agent(s) with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Seth H. Ostrow, Reg. No. 37,410  
 Pamela G. Maher, Reg. No. 40,712  
 Matthew J. Marquardt, Reg. No. 40,997  
 James J. Woods, Reg. No. 47,184  
 Robert L. Kovelman, Reg. No. 51,897  
 Robert Bauer, Reg. No. 34,487  
 James Demers, Reg. No. 34,320  
 Todd Holmbo, Reg. No. 42,665  
 Vanessa Owen, Reg. No. 44,274  
 Steve Rubin, Reg. No. 43,063  
 Zhaohui Wang, Reg. No. 54,674

Frank J. DeRosa, Reg. No. 26,543  
 Leslie Restaino, Reg. No. 38,893  
 Frederick Yu, Reg. No. 45,251  
 Ivan Posey, Reg. No. 43,865  
 Madeline F. Baer, Reg. No. 36,437  
 John Daner, Reg. No. 39,953  
 Daniel Hansburg, Reg. No. 36,156  
~~Pristine Johannessen, Reg. No. 55,302~~  
 Antonio Papageorgiou, Reg. No. 53,431  
 Michael Shanahan, Reg. No. 43,914

Direct all correspondence to: Brown Raysman Millstein Felder & Steiner LLP  
 900 Third Avenue  
 New York, New York 10022

Direct all telephone calls to: (212) 895-2000

Full Name of Sole or First Inventor	Yury KALNITSKY		
Inventor's Signature		Date	7/29/04
Residence	264 Lindell Blvd.	Citizenship	U.S.A.
Post Office Address	264 Lindell Blvd., Long Beach, New York 11561		

(check one) Sheets containing additional joint inventors ☐ are, ☒ are not attached hereto.